

**IN THE UNITED STATES DISTRICT COURT  
OF THE EASTERN DISTRICT OF PENNSYLVANIA**

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BEY DILEMANI,

Plaintiff,

vs.

BUCA, INC.,

Defendant.

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File No. 02-CV-2614

**DEFENDANT BUCA, INC.'S  
NOTICE OF MOTION  
AND MOTION FOR  
SUMMARY JUDGMENT**

TO: Plaintiff Bey Dilemani and his attorney Scott B. Goldberg, Michael J. Salmanson, P.C.,  
1515 Locust Street, Tenth Floor, Philadelphia, PA 19102.

PLEASE TAKE NOTICE that defendant BUCA, Inc. hereby moves the Court, the Honorable James Knoll Gardner presiding, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for an order granting defendant summary judgment as to all claims in this action.

The motion is made upon all the files, records, and proceedings in this matter and upon the affidavits and memorandum that are being filed with this motion. The grounds for the motion are that plaintiff has failed to raise any genuine issue of material fact to support his age discrimination claims and defendant BUCA, Inc. is entitled to judgment as a matter of law.

Dated: February \_\_, 2003

FAEGRE & BENSON LLP

/s/ Daniel C. Gerhan

Daniel C. Gerhan (I.D. No. 189698)

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LOCAL COUNSEL:

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Attorneys for Defendant BUCA, Inc.

M1:958156.01

***CERTIFICATE OF SERVICE***

I hereby certify that on February 3, 2003, I electronically filed the foregoing with the Clerk of Court using the ECF system. This document is available for viewing and downloading from the ECF system.

Additionally, a copy of the foregoing was mailed to the attorney named below at the address shown below by UPS Next Day Air from Minneapolis, MN on February 3, 2002:

**Mr. Scott B. Goldberg  
Michael J. Salmanson, P.C.  
1515 Locust Street, 10th Floor  
Philadelphia, PA 19102**

/s/ Daniel C. Gerhan

Daniel C. Gerhan